

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

**BEAUMONT DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**TRAVIS SPENCER**

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§

**NO. 1:93-CR-223**

**ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT**

The court referred Defendant's "Motion to Correct Amended Judgment Nunc Pro Tunc" and "Supplemental Motion to Correct Amended Judgment under F.R.C.P. 35(A) and Nunc Pro Tunc of the Amended Judgment under F.R.C.P. 36 and Motion to Modify the Sentence Pursuant to 18 U.S.C. § 3582(C)(1)(B) and 18 U.S.C. § 3553(B)" to United States magistrate judge Earl S. Hines for consideration and submission of a report containing a recommended disposition. Judge Hines concluded that the motions should be denied in part, and could be either granted or denied to the extent that they request the court to enter a second amended judgment containing language identical to the original judgment with respect to the consecutive term of imprisonment.

Neither party objects to the magistrate judge's findings, conclusions and recommendations. Further, the court's independent review confirms that the magistrate judge's analysis. It is, therefore, **ORDERED** that the Report and Recommendation of the United States Magistrate Judge are **ADOPTED**. An order on the motions will be entered separately.

So **ORDERED** and **SIGNED** this **9** day of **December, 2008**.



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Ron Clark, United States District Judge